

REMARKS

Claims 1, 3-14 and 16-31 are pending. Claims 1 and 6 have been amended, and claims 2, 8-9, 11-15, 21-28 and 31 have been cancelled, without prejudice to pursue the original claims in a related application. Claims 32-33 are new. Thus, after entry of this amendment, claims 1, 3-7, 10, 16-20, 29-30 and 32-33 are currently pending. No new matter has been added.

Rejections under 35 USC §103:

Applicant respectfully traverses the rejections of the present claims under 35 USC §103 over Kataoka (US 6,016,178) in view of Morozumi (Re 33882).

In Fig. 7, Kataoka discloses that each of the phase shifter layers 7 are formed over respective color filter layers 13r, 13g, 13b. As conceded by the Action, Kataoka does not disclose a white filter (i.e., transparent filter).

In Fig. 16, Morozumi discloses a white filter 164. The Action asserts that the white filter 164 of Morozumi may be added to the teachings of Kataoka to read on the present claims. The Action further asserts, in page 3, that the added white filter of Morozumi includes the phase shifter layer 7 as taught by Kataoka. Clearly, this combination teaches away from the subject matter of the present claims.

In sharp contrast to the cited references, present independent claim 1, as amended, discloses an organic insulating layer 802 (Fig. 5) including a plurality of first portions disposed between the color filters 230R, 230G, 230B and the pixel electrodes 190 and a plurality of second portions disposed on the transparent areas 230W. As shown in Fig. 5 and supported by page 9, lines 12-18 of Applicants' specification, the lower panel includes no transparent color filter. Instead, portions of the second protective layer 802 in white pixel areas (i.e., transparent areas) have larger thickness than other portions thereof to make the height difference of the second protective layer 802. As such, the cell gap for pixels is nearly uniform, and the lower panel is manufactured by a relatively

simple process compared with conventional processes because the step of forming a white filter (i.e., transparent filter) is omitted. Clearly, Kataoka in view of Morozumi does not disclose this feature of present claim 1.

Therefore, since the cited references fail to disclose each and every limitation of independent claim 1, as amended, Applicants respectfully request withdrawal of the rejections under 35 USC §103 and express allowance of the same.

Independent Claim 16 was rejected as unpatentable over Kadota (US 6,031,512), Morozumi (Re 33882) and Park (US 2002/0074549) in view of Suzuki (US 6,081,309).

Independent claim 16, as previously presented, recites the following limitations not disclosed or suggested by the cited references:

wherein the pixel electrodes formed on the blue filter and transparent filter have a smaller area than the pixel electrodes formed on the red or green filters.

Moreover, as conceded by the Action in page 7, Kadota does not disclose this limitation of independent claim 16, as indicated above.

In Fig. 16, Morozumi discloses a white filter 164. However, Morozumi fails to disclose that the white filter has a smaller area than the pixel electrodes formed on the red or green filters.

The Action purports that Suzuki discloses this limitation in the abstract. However, according to the abstract of Suzuki, four intersections provide two broader openings for green and red color filters and two narrower openings each provided with a blue color filter. Thus, Suzuki does not explicitly disclose or even suggest a smaller or narrower opening for a transparent filter, in a manner as recited in the present claims.

In contrast to the cited references, present independent claim 16 recites, "wherein the pixel electrodes formed on the blue filter and transparent filter have a smaller area than the pixel electrodes formed on the red or green filters." *For support of these features, see the present specification, page 7, lines 3-9.*

Since the cited references fail to disclose each and every limitation of independent

claim 16, as previously presented, Applicants respectfully request withdrawal of the rejections under 35 USC §103 and express allowance of the same.

The various other ancillary references (Kawase (U.S. 6,787,275), Sunohara (U.S. 5,587,819), Yamada (U.S. 6,798,471), Kim (U.S. 20020145695), and Abukawa et al. (U.S. 5,642,176)) were cited for teaching the limitations of the dependent claims. In reviewing these references, Applicants believe that none of these references remedies the deficiencies of the references applied to claims 1 and 16 and discussed above.

Accordingly, present independent claim 16 is considered patentable over the cited references.

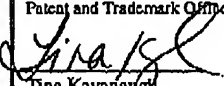
The remaining claims depend on claims 1 and 16, respectively, and are thus patentable for at least the same reasons as claims 1 and 16.

Therefore, Applicants respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C. §103.

CONCLUSION

For the foregoing reasons, Applicants believes that the pending claims are allowable, and a notice of allowance is respectfully requested.

If the Examiner has any questions regarding the application, the Examiner is invited to call the undersigned Attorney at (949) 752-7040.

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Respectfully submitted,



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